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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,870	03/12/2001	Philippe Morin	9432-000134	9173

27572 7590 03/09/2006

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

EXAMINER
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VO, HUYEN X

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/803,870

Applicant(s)

MORIN, PHILIPPE

Examiner

Huyen X. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13, 15-18, and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Rigsby et al. (US 6556971).

3. Regarding claims 1-2, Rigsby et al. disclose a method of navigating a menu structure within an electronic product, comprising the steps of: identifying a user's-selected path through said menu structure to a first location within said menu in response to initial user navigation to said first location via a sequential manipulation of a manual user interface (*step 200 in figure 2 and/or col. 6, lines 43-67*); obtaining a first utterance of speech comprising at least one word chosen by a user of said electronic product (*step 210 in figure 2*); storing said first utterance of speech chosen by said user as a model in a user-built lexicon (*steps 220-230 in figure 2*); associating said first utterance with said first location and generating therefrom a stored first location (*steps 220-230 in figure 2*); obtaining a second utterance of speech (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*); matching said second utterance with said first utterance

to identify said stored first location within said menu (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*); and subsequently navigating to said first location in response to said matching (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*).

4. Regarding claim 15, Rigsby et al. disclose a voice binding system to aid in user operation of electronic devices, comprising: a menu navigator that provides a traversable menu structure offering a plurality of predefined menu locations (*each item 350 in figure 3 is a menu item*), wherein said menu navigator is operable to allow a user to identify on of said predefined menu locations via sequential manipulation of a manual user interface of said menu navigator that results in user navigation through said menu structure to said predefined menu location (*user select a menu to train with a voice command discussed in the operation of figure 2*); a speech recognizer having an associated lexicon data store (*inherently included in any speech recognition system*); a processor for adding user-defined speech to said lexicon (*the operation of figure 2*); and a voice binding system coupled to said menu navigator for associating said user-defined speech with said identified menu locations within said menu structure (*steps 220-230 in figure 2*), wherein said menu navigator is operable to traverse to said identified menu location in response to a spoken utterance corresponding to said user-defined speech (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67, upon receiving a user's input command, associated function is carried out*).

5. Regarding claims 3-5, 17-18, and 21-22, Rigsby et al. further disclose the method of claim 2 further comprising storing said navigation path as a sequence of navigation steps leading to said first location, and storing said navigation path as a semantic sequence of navigation steps leading to said first location (*figure 3, each of element 350's is a menu item that can be called at anytime based on user's input*), and wherein said menu structure includes associated text and said method further comprises storing said navigation path as a semantic sequence of text associated with the navigation steps leading to said first location (*referring to figure 3 and/or col. 6, line 32 to col. 7, line 23*).

6. Regarding claim 16, Rigsby et al. further disclose the voice binding of claim 15, wherein said menu navigator includes at least one navigation button operable to traverse said menu structure (*figure 3, element 350*).

7. Regarding claims 6-9, Rigsby et al. further disclose the method of claim 2 further comprising constructing a speech model associated with said first utterance and associating said speech model with said navigation path (*col. 6, line 32 to col. 7, line 23*), using a speech recognizer to compare said first and second utterances in performing said matching step (*col. 7, line 55 to col. 8, line 5*), constructing a speech model associated with said first utterance and using said speech model to populate the lexicon of a speech recognizer; and using said speech recognizer to compare said first and second utterances in performing said matching step (*operation of figure 2*), wherein said

step of identifying a user-selected navigation path comprises displaying said first location on a visible display associated with said electronic product and prompting said user to provide said first utterance (*figure 2, element 210 and figure 3*).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 10-14 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Rigsby et al. (US 6556971) in view of De Armas et al. (US 5873064),

10. Regarding claims 10-14 and 19-20, Rigsby et al. further disclose the navigation path by the first location on a visible display associated with the electronic product and producing a textual representation of the first utterance (*figures 2-3*), but fail to specifically disclose the step of providing user an audio feedback of the first utterance, the feedback is a textual representation using a speech recognizer, and feedback is provided upon user's request. However, De Armas et al. teach the step of providing user an audio feedback of the first utterance (*Fig. 1A, elements Child 1, OK and CANCEL; col.5, ln.2-15 and col.9, ln. 49-61*), the feedback is a textual representation

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using a speech recognizer (*decoded phrase*), and feedback is provided upon user's request (*Fig. 2, col. 6, ln.19-28; col. 8, ln.25-29 and col.9, ln.19-61*).

Since Rigsby et al. and De Armas et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rigsby et al. by incorporating the teaching of De Armas et al. in order to enable the user to confirm input command to train for a particular function.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

3/7/2006

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RICHEMOND DORVIL  
SUPERVISORY PATENT EXAMINER